

REMARKS

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2 In the Office Action mailed June 19, 2002, the Examiner rejected claims 1,
3 2, 5-7, and 10-24 under 35 U.S.C. §102(e) as being anticipated by Fijolek et al.
4 (U.S. Patent No. 6,240,464 B1), hereinafter Fijolek. The Examiner also objected
5 to claims 3, 4, 8, 9, 25 and 26 as being dependent upon rejected base claims.
6 Applicant hereby presents new claims 27-32, which are claims 3, 4, 8, 9, 25 and
7 26 re-written as independent claims or dependent claims that are dependent on
8 new independent claims.

9 Applicant respectfully traverses the rejections and request favorable
10 reconsideration in view of the new claims and the following remarks.

11 Claims 1, 2, 5-7, and 10-24 are not anticipated by Fijolek

12 Independent claim 1 recites a "temporary configuration server;"
13 independent claim 16 recites a "temporary configuration protocol server;" and
14 independent claim 23 recites the step of "sending a temporary network address."
15 Claims 1, 16, and 23 have either been rejected or are the independent base
16 claims from which all of the rejected claims depend. Applicant respectfully
17 submits that claims 1, 2, 5-7 and 10-24 are not anticipated by Fijolek. Fijolek
18 does not teach or suggest a "temporary configuration server" as recited in claim
19 1, nor a "temporary configuration protocol server" as recited in claim 16, nor the
20 step of "sending a temporary network address" as recited in claim 23.

21 The Examiner cites to col. 2, lines 18-47 in Fijolek as teaching a
22 "temporary configuration server," a "temporary configuration protocol server," and
23 "sending a temporary network address." This passage however describes how a
24 cable modem used in a data-over-cable system with telephony return is
25 initialized. The downstream connection of the cable modem with the cable
26 modem termination system and the upstream connection between the cable
27 modem and the telephony remote access concentrator are described. The
28 passage also describes the different protocols used to establish IP addresses
29 with the cable modem and the cable modem termination system. See Fijolek,
30 col. 2, lines 18-47. One of the protocols described in this passage is the

1 Dynamic Host Configuration Protocol (DHCP). The cited passage, however, fails
2 to teach or suggest a temporary configuration server, a temporary configuration
3 protocol server, or sending a temporary network address.

4 Anticipation requires that each and every element be taught or disclosed
5 in the cited reference. As shown above, Fijolek fails to teach at least one
6 element of each of the pending claims. Therefore, claims 1, 2, 5-7 and 10-24 are
7 not anticipated. Applicant respectfully requests that the Examiner's rejections be
8 withdrawn. Favorable reconsideration is respectfully requested.

9 **SUMMARY**

10 Applicant respectfully submits that, in view of the remarks above, the
11 present application, including claims 1-32, is now in condition for allowance and
12 solicit action to that end. If there are any matters, which may be resolved or
13 clarified through a telephone interview, the Examiner is respectfully requested to
14 contact Applicant's undersigned representative.

15
16 Respectfully submitted,

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